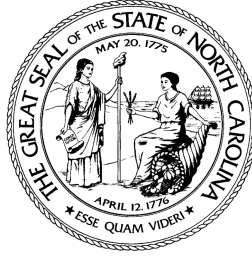


GENERAL ASSEMBLY OF NORTH CAROLINA



SPECIAL PROVISIONS
APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION REPORT

MAY 25, 2010
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GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2009

DRAFT
SPECIAL PROVISION



2010-TRANS-H1(S28.1)i

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by: Representative Cole

CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND APPROPRIATIONS

SECTION 28.1.(a) Section 25.1 of S.L. 2009-451 is repealed.

SECTION 28.1.(b) The General Assembly authorizes and certifies anticipated revenues of the Highway Fund as follows:

For Fiscal Year 2011-2012	\$ 1,793.1 million
For Fiscal Year 2012-2013	\$ 1,880.6 million
For Fiscal Year 2013-2014	\$ 1,920.5 million
For Fiscal Year 2014-2015	\$ 1,958.9 million

SECTION 28.1.(c) The General Assembly authorizes and certifies anticipated revenues of the Highway Trust Fund as follows:

For Fiscal Year 2011-2012	\$ 989.2 million
For Fiscal Year 2012-2013	\$ 1,046.4 million
For Fiscal Year 2013-2014	\$ 1,078.3 million
For Fiscal Year 2014-2015	\$ 1,120.4 million

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SPECIAL PROVISION



2010-TRANS-H2(S28.2)

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by: Representative Cole

DRIVER EDUCATION PROGRAM FUND REVERSION AND STUDIES

SECTION 28.2.(a) G.S. 20-88.1 reads as rewritten:

"§ 20-88.1. Driver education.

...

(a1) For each fiscal year, the State Superintendent of Public Instruction shall calculate a per student allocation for the driver education program by dividing the total funds allocated for the program by the estimated number of qualified students throughout the State, as described in subsection (a) of this section. The Superintendent shall distribute funds to local school administrative units by giving each local school administrative unit an amount equal to the per student allocation multiplied by the estimated number of qualified students within that local school administrative unit's district, including students enrolled in both public and private schools. If, at the end of the fiscal year, fewer than the expected number of students have participated in the driver education program in a local school administrative unit, then the local school administrative unit shall revert the per student allocation for each student that was estimated to be eligible to participate but did not actually participate in the driver education program.

...

(c) All expenses incurred by the State in carrying out the provisions of this section shall be paid out of the Highway Fund. At the end of each fiscal year, the Department of Public Instruction shall collect and revert any unused funds allocated for this program back to the Highway Fund.

..."

SECTION 28.2.(b) The Highway Safety Research Center Institute of the University of North Carolina at Chapel Hill shall work in collaboration with the Department of Public Instruction and the Governor's Highway Safety Commission to create a standard curriculum to be used for the Driver Education Program in the Department of Public Instruction. The curriculum shall be ready for use in the school year beginning in the fall of 2011 and shall be used for all driver education programs funded with State funds.

SECTION 28.2.(c) The Office of State Budget and Management (OSBM) shall review the funding and efficacy of the Driver Education Program to determine the most appropriate source of funds to support the program and outcomes of the funding on student driving. The review shall include recommendations for improving services, reducing costs and/or duplication, and alternative funding mechanisms including fees. OSBM will also work with the Department of Public Instruction to establish performance measures for the program to be used to determine the program's effectiveness. OSBM shall make recommendations to the Governor and the General Assembly no later than November 1, 2010.

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SPECIAL PROVISION



2010-TRANS-H3

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by: Representative

1 REQUIRE GLOBAL TRANSPARK TO REPORT ON ANTICIPATED REPAYMENT
2 SCHEDULE

3 SECTION #. The Board of Directors of the Global TransPark Authority shall
4 report on or before December 31, 2010, to the House and Senate Appropriations
5 Subcommittees on Transportation on the Authority's strategic, business, and financial plans.
6 The report shall include the Authority's proposed schedule to achieve financial self-sufficiency
7 and proposed schedule to repay to the Escheat Fund the investment authorized under G.S. 147-
8 69.2(b)(11) and any accumulated interest, both of which totaled thirty-seven million seven
9 hundred ninety-eight thousand eight hundred and ninety-eight dollars and fifty cents
10 (\$37,798,898.50) as of March 31, 2010.

GENERAL ASSEMBLY OF NORTH CAROLINA

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DRAFT
SPECIAL PROVISION



2010-TRANS-H5

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by: Representative Martin

1 ***ADJUST ROAD NAMING POLICY***

2 **SECTION #.** The Department of Transportation shall remove the existing
3 prohibition on naming State roads after specific military veterans and shall adopt a policy for
4 naming highways after specific military veterans. This new policy shall be part of the
5 Department of Transportation's existing system for naming State roads after people. The
6 Department of Transportation shall report to Joint Legislative Transportation Oversight
7 Committee no later than December 1, 2011, on the new policy and the Department's
8 implementation of the policy.

GENERAL ASSEMBLY OF NORTH CAROLINA

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SPECIAL PROVISION



2010-TRANS-H7

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by:

1 ***STATE HIGHWAY PATROL TO USE FORFEITURE FUNDS FOR VIPER PROGRAM***

2 **SECTION #.** The Department of Crime Control and Public Safety, State Highway
3 Patrol Division, shall use two million five hundred thousand dollars (\$2,500,000) of the funds
4 in the State Highway Patrol's asset forfeiture account from its participation in the United States
5 Asset Forfeiture Program for the Voice Interoperability Plan for Emergency Responders
6 (VIPER) project for expenditures that would be permitted under the Asset Forfeiture Program's
7 rules.

8 In the event that the State Highway Patrol's 2010-2011 budget, as established by S.L. 2009-
9 451, this act, or any other act, is reduced in any way, the State Highway Patrol may use, but
10 shall not be required to use, two million five hundred thousand dollars (\$2,500,000) of the
11 funds in the State Highway Patrol's asset forfeiture account from its participation in the Asset
12 Forfeiture Program for the VIPER project.

GENERAL ASSEMBLY OF NORTH CAROLINA

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DRAFT
SPECIAL PROVISION



2010-TRANS-H8

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by: Representative

1 ***DEVELOP FEE SCHEDULE FOR FERRY SYSTEM***

2 **SECTION #.** The Department of Transportation, Ferry Division, shall develop a fee
3 schedule for all ferry routes in an amount necessary to cover the operating costs of the existing
4 ferry routes. As part of developing a fee schedule, the Department of Transportation, Ferry
5 Division, shall provide a fee exception for schoolchildren and teachers who reside on a barrier
6 island and travel on a ferry to attend or teach at a primary or secondary school. The Department
7 of Transportation, Ferry Division, shall report on its planned fee schedule and implementation
8 timeline to the House and Senate Appropriations Subcommittees on Transportation no later
9 than February 1, 2011.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2009

DRAFT
SPECIAL PROVISION



2010-TRANS-H9

Department of Transportation
Appropriations Subcommittee on Transportation

Requested by:

ESTABLISH NC MOBILITY FUND

SECTION #. Chapter 136 of the General Statutes is amended by adding a new article to read:

"Article 14A.

"North Carolina Mobility Fund.

"§136-187. Creation of the North Carolina Mobility Fund.

(a) A special account designated as the North Carolina Mobility Fund is hereby created. The Mobility Fund consists of revenue from appropriations or transfers by the General Assembly.

(b) The amounts deposited to the Mobility Fund shall be used as provided in this Article, notwithstanding any provision of Article 14 to the contrary. The provisions of G.S. 136-17.2A shall not apply to the application of the Mobility Fund.

"§ 136-188. Use of North Carolina Mobility Fund.

(a) The Department of Transportation shall use the Mobility Fund to fund transportation projects of statewide and regional significance that relieve congestion and enhance mobility across all modes of transportation. The Department of Transportation shall establish project selection criteria based on the provisions of this article.

(b) The initial project funded from the Mobility Fund shall be the widening and improvement of Interstate 85 north of the Yadkin River Bridge.

"§ 136-189. Reports by Department of Transportation.

The Department of Transportation shall develop, and update annually, a report containing a completion schedule for all projects to be funded from the Mobility Fund, including the selection criteria and reasoning used for each project. The annual update shall indicate the projects, or portions thereof, that were completed during the preceding fiscal year, any changes in the original completion schedules, and the reasons for the changes. The report shall also include the Department's anticipated schedule for future projects. The Department shall submit the report and the annual updates to the Joint Legislative Transportation Oversight Committee."

SECTION #.(b) The Department of Transportation shall develop a selection criteria under G.S. 136-188, as enacted by this act, and shall report to the Joint Legislative Transportation Oversight Committee on its development of the selection criteria. A preliminary report on the selection criteria for projects is due to the Joint Legislative Transportation Oversight Committee by October 1, 2010. A final report is due to the Joint Legislative Transportation Oversight Committee by December 15, 2010.

SECTION #.(c) The funds appropriated to the North Carolina Turnpike Authority in fiscal year 2009-2010 under G.S. 136-176(b2) for the Monroe Connector/Bypass, twenty-four million dollars (\$24,000,000), and the Mid-Currituck Bridge, fifteen million dollars (\$15,000,000), are hereby transferred to the North Carolina Mobility Fund, as enacted by this act, to be used for Phase II of the Yadkin River Bridge project.